

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
(Abingdon Division)**

JOHMAL W. MOORE,

Plaintiff,

v.

ADRIAN B. BENNETT,

ARKA EXPRESS INC.,

BJT EXPRESS INC.,

SL VENTURE GROUP, INC.

Defendants.

Case No.: 1:23cv00026

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1441, and 1446, Defendants Adrian Bennett, Arka Express Inc., and BJT Express Inc., hereby file this Notice of Removal of the above-captioned civil matter, currently pending in the Circuit Court for the County of Wythe, CL23000964-00, to the United States District Court for the Western District of Virginia, Abingdon Division. In support of removal, Defendants Adrian Bennett, Arka Express, Inc., and BJT Express, Inc. state as follows:

Facts Giving Rise to Jurisdiction

1. Plaintiff Johmal W. Moore commenced this personal injury accident in the Circuit Court for the County of Wythe against Defendants Adrian Bennett, Arka Express Inc., and BJT Express Inc. seeking \$1,000,000.00 in damages for injuries allegedly sustained in a motor vehicle collision that allegedly occurred in the parking lot of a Flying J truck stop in Wythe County, Virginia on or about September 14, 2021. *See* Plaintiff's Complaint, attached as Exhibit 1.

2. Plaintiff is a citizen of Louisiana.

3. Defendant Adrian Bennett is a citizen of Georgia.

4. Defendant Arka Express Inc. is a corporation organized under the laws of Illinois, with its principal place of business in Markham, Illinois.

5. Defendant BJT Express Inc. is a corporation organized under the laws under the laws of Indiana, with its principal place of business in Schererville, Indiana.

6. Defendant SL Venture Group Inc. is a corporation organized under the laws under the laws of Ohio, with its principal place of business in West Chester, Ohio.

Legal Basis for Jurisdiction

7. Removal of this matter is proper pursuant to 28 U.S.C. § 1332(a)(1), as there exists complete diversity between the Parties and the amount in controversy exceeds \$75,000.00.

8. Defendants were first served with the Complaint in this matter on August 1, 2023. Therefore, this Notice of Removal is timely filed pursuant to 28 U.S.C. § 1446(b).

9. As required by 28 U.S.C. § 1446(b), true and correct copies of the process and pleadings served upon Defendants are being filed with this notice of removal. *See* Plaintiff's Complaint, attached as Exhibit 1.

10. Pursuant to 28 U.S.C. § 1446(d), a copy of this Notice of Removal is being served on all Parties and is being filed with the Circuit Court of Wythe County.

11. Defendant SL Venture Group, Inc. has yet to enter an appearance in this matter.

WHEREFORE, Defendants, Adrian Bennett, Arka Express, Inc., and BJT Express, Inc., respectfully request that this matter proceeds in this Honorable Court, as a matter properly removed thereto.

Dated: August 22, 2023

ADRIAN B. BENNETT
ARKA EXPRESS INC.
BJT EXPRESS INC.
By Counsel

WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER, LLP

/s/ Peter M. Moore

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Arka Express Inc. and BJT Express Inc.*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of August, 2023, a true and correct copy of the foregoing was electronically filed with the Clerk of Court using the CM/ECF system and was served via electronic mail to:

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